



## ILLINOIS COMMERCE COMMISSION

March 18, 2003

United Transportation Union – Illinois Legislative Board,  
Petitioner

Vs.

Iowa Interstate Railroad,  
Respondent

Complaint as to the failure to provide comprehensive locker room, shower facilities  
and lunch room facilities for employees in Rock Island, Illinois.

T03-0019

Mr. Kevin J. Oosting  
Hiskes, Dillner, O'Donnell,  
Marovich & Lapp, Ltd.  
10759 W. 159<sup>th</sup> St., Ste. 201  
Orland Park, IL 60467

Dear Sir/Madam:

Receipt is acknowledged of the original and four (4) copies of the Complaint filed March 17, 2003, in the above matter.

A copy of the Complaint is being served on the Respondent.

Sincerely,

Processing and Information Section

kl

cc and copy of complaint to:

Mr. James Easterly, IDOT  
Mr. T. Scott Bannister, IAIS  
Mr. Joseph Szabo, United Trans. Union

**COPY**

## FORMAL COMPLAINT

Illinois Commerce Commission  
527 E. Capitol Avenue  
Post Office Box 4905  
Springfield, Illinois 62708

**RECEIVED**  
MAR 17 2003

Illinois Commerce Commission  
RAIL SAFETY SECTION

Regarding a complaint

For Commission use only.

by UNITED TRANSPORTATION UNION - Illinois Legislative Board  
(Person making the complaint)

Case 103-0019

against IOWA INTERSTATE RAILROAD  
(Utility name)

File \_\_\_\_\_

as to Failure to provide comprehensive locker room, shower facilities and  
lunch room facilities for employees  
(Reason for complaint)

in Rock Island Illinois.

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 8 South Michigan Avenue, Suite 2006, Chicago, IL 60603

The service address that I am complaining about is Iowa Interstate Railroad Rock Island Terminal

My home telephone number is ( )

Between 8:30 A.M. and 5:00 P.M. weekdays I can be reached at (312) 236-5353

Iowa Interstate Railroad (respondent) is a public utility and is subject to the provisions of the Illinois Public Utilities Act.  
(Full name of utility company)

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs which you think are involved with your complaint.

92 Ill. Adm. Code Section 1545.110; Section 1545.120; Section 1545.130;  
Section 1545.140; Section 1545.150; Section 1545.160 and Section 1545.210.

Have you contacted the Consumer Affairs Division of the Illinois Commerce Commission about this complaint?

Yes X No

Has your complaint filed with that office been closed?

Yes No

**DOCKETED**

Please state your complaint briefly. Number each of the paragraphs. Please include any specific time period and dollar amounts involved with your complaint. Use an extra sheet of paper, if needed.

In violation of the previously listed sections of the ICC's regulations pertaining to rail carriers, Iowa Interstate Railroad has failed to provide adequate and comprehensive locker room, shower and lunchroom facilities for its employees at the Rock Island Terminal. In addition to other employees not represented by the United Transportation Union (UTU), approximately 25 train and engine employees represented by the UTU are based at the Rock Island Terminal, approximately 10 of whom work out of the Terminal daily. Two regular yard assignments start and finish their daily duties at this location, with several extra assignments also starting or finishing at this Terminal each week. Despite these facts, there are no shower facilities for these employees, even though they are exposed to excessive dirt, heat fumes, and other materials and substances which may be injurious to their health. In fact, Iowa Interstate Railroad does not have facilities for its employees at the Rock Island Terminal that comply with the ICC's requirements regarding toilets, washing facilities, showers, locker rooms, lockers, dressing rooms and lunchrooms.

Please clearly state what you want the Commission to do in this case.

Force the Iowa Interstate Railroad to comply with the ICC's regulations regarding locker room, shower facilities and lunchroom facilities and to impose fines and/or sanctions until the requirements set forth by the ICC are met in full.

Date:

3/14/03

(Month, day, and year)

Complainant's signature

*Joseph C. Szabo*

If you will be represented by an attorney, please give the attorney's name, address, and telephone number.

KEVIN J. OOSTING

Hiskes, Dillner, O'Donnell, Marovich & Lapp, Ltd.

10759 West 159th Street, Suite 201

Orland Park, IL 60467 (708) 403-5050; (Fax) (708) 403-9667

You need to file the original and three copies of this form with the Commission and also provide the Commission with one copy for each utility complained about (referred to as respondents).

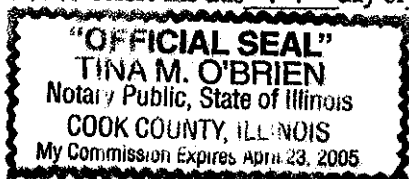
#### VERIFICATION

A notary public must watch you fill out this part of the form.

I, JOSEPH C. SZABO, first being duly sworn, say that I have read the above petition and know what it says. The contents of this petition are true to the best of my knowledge.

*Joseph C. Szabo*  
(Signature)

Subscribed and sworn/affirmed to before me this 14 day of March 2003



*Tina M. O'Brien*  
Notary Public, Illinois

#### NOTE:

Failure to answer all of the questions on this form may result in this form being returned to you without processing. If you have questions, please call the counselor in the Consumer Affairs Division that handled your informal complaint.